



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5565

by Rep. Aaron Schock

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-106	from Ch. 95 1/2, par. 6-106
625 ILCS 5/6-109	from Ch. 95 1/2, par. 6-109
625 ILCS 5/6-115	from Ch. 95 1/2, par. 6-115

Amends the Illinois Vehicle Code. Provides that a valid Illinois Firearm Owner's Identification Card must be accepted by the Secretary of State as photo identification of an applicant for a driver's license or instruction permit.

LRB095 16894 RCE 42937 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Sections 6-106, 6-109, and 6-115 as follows:

6 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

7 Sec. 6-106. Application for license or instruction permit.

8 (a) Every application for any permit or license authorized  
9 to be issued under this Act shall be made upon a form furnished  
10 by the Secretary of State. Every application shall be  
11 accompanied by the proper fee and payment of such fee shall  
12 entitle the applicant to not more than 3 attempts to pass the  
13 examination within a period of 1 year after the date of  
14 application.

15 (b) Every application shall state the legal name, social  
16 security number, zip code, date of birth, sex, and residence  
17 address of the applicant; briefly describe the applicant; state  
18 whether the applicant has theretofore been licensed as a  
19 driver, and, if so, when and by what state or country, and  
20 whether any such license has ever been cancelled, suspended,  
21 revoked or refused, and, if so, the date and reason for such  
22 cancellation, suspension, revocation or refusal; shall include  
23 an affirmation by the applicant that all information set forth

1 is true and correct; and shall bear the applicant's signature.  
2 The application form may also require the statement of such  
3 additional relevant information as the Secretary of State shall  
4 deem necessary to determine the applicant's competency and  
5 eligibility. The Secretary of State may in his discretion  
6 substitute a federal tax number in lieu of a social security  
7 number, or he may instead assign an additional distinctive  
8 number in lieu thereof, where an applicant is prohibited by  
9 bona fide religious convictions from applying or is exempt from  
10 applying for a social security number. The Secretary of State  
11 shall, however, determine which religious orders or sects have  
12 such bona fide religious convictions. The Secretary of State  
13 may, in his discretion, by rule or regulation, provide that an  
14 application for a drivers license or permit may include a  
15 suitable photograph of the applicant in the form prescribed by  
16 the Secretary, and he may further provide that each drivers  
17 license shall include a photograph of the driver. The Secretary  
18 of State may utilize a photograph process or system most  
19 suitable to deter alteration or improper reproduction of a  
20 drivers license and to prevent substitution of another photo  
21 thereon.

22 (c) The application form shall include a notice to the  
23 applicant of the registration obligations of sex offenders  
24 under the Sex Offender Registration Act. The notice shall be  
25 provided in a form and manner prescribed by the Secretary of  
26 State. For purposes of this subsection (c), "sex offender" has

1 the meaning ascribed to it in Section 2 of the Sex Offender  
2 Registration Act.

3 (d) Any male United States citizen or immigrant who applies  
4 for any permit or license authorized to be issued under this  
5 Act or for a renewal of any permit or license, and who is at  
6 least 18 years of age but less than 26 years of age, must be  
7 registered in compliance with the requirements of the federal  
8 Military Selective Service Act. The Secretary of State must  
9 forward in an electronic format the necessary personal  
10 information regarding the applicants identified in this  
11 subsection (d) to the Selective Service System. The applicant's  
12 signature on the application serves as an indication that the  
13 applicant either has already registered with the Selective  
14 Service System or that he is authorizing the Secretary to  
15 forward to the Selective Service System the necessary  
16 information for registration. The Secretary must notify the  
17 applicant at the time of application that his signature  
18 constitutes consent to registration with the Selective Service  
19 System, if he is not already registered.

20 (e) A valid Illinois Firearm Owner's Identification Card  
21 must be accepted by the Secretary of State as photo  
22 identification of an applicant.

23 (Source: P.A. 92-117, eff. 1-1-02; 93-895, eff. 1-1-05.)

24 (625 ILCS 5/6-109) (from Ch. 95 1/2, par. 6-109)  
25 Sec. 6-109. Examination of Applicants.

1           (a) The Secretary of State shall examine every applicant  
2 for a driver's license or permit who has not been previously  
3 licensed as a driver under the laws of this State or any other  
4 state or country, or any applicant for renewal of such driver's  
5 license or permit when such license or permit has been expired  
6 for more than one year. The Secretary of State shall, subject  
7 to the provisions of paragraph (c), examine every licensed  
8 driver at least every 8 years, and may examine or re-examine  
9 any other applicant or licensed driver, provided that during  
10 the years 1984 through 1991 those drivers issued a license for  
11 3 years may be re-examined not less than every 7 years or more  
12 than every 10 years.

13           The Secretary of State shall require the testing of the  
14 eyesight of any driver's license or permit applicant who has  
15 not been previously licensed as a driver under the laws of this  
16 State and shall promulgate rules and regulations to provide for  
17 the orderly administration of all the provisions of this  
18 Section.

19           (b) Except as provided for those applicants in paragraph  
20 (c), such examination shall include a test of the applicant's  
21 eyesight, his ability to read and understand official traffic  
22 control devices, his knowledge of safe driving practices and  
23 the traffic laws of this State, and may include an actual  
24 demonstration of the applicant's ability to exercise ordinary  
25 and reasonable control of the operation of a motor vehicle, and  
26 such further physical and mental examination as the Secretary

1 of State finds necessary to determine the applicant's fitness  
2 to operate a motor vehicle safely on the highways, except the  
3 examination of an applicant 75 years of age or older shall  
4 include an actual demonstration of the applicant's ability to  
5 exercise ordinary and reasonable control of the operation of a  
6 motor vehicle. All portions of written and verbal examinations  
7 under this Section, excepting where the English language  
8 appears on facsimiles of road signs, may be given in the  
9 Spanish language and, at the discretion of the Secretary of  
10 State, in any other language as well as in English upon request  
11 of the examinee. Deaf persons who are otherwise qualified are  
12 not prohibited from being issued a license, other than a  
13 commercial driver's license, under this Code.

14 (c) Re-examination for those applicants who at the time of  
15 renewing their driver's license possess a driving record devoid  
16 of any convictions of traffic violations or evidence of  
17 committing an offense for which mandatory revocation would be  
18 required upon conviction pursuant to Section 6-205 at the time  
19 of renewal shall be in a manner prescribed by the Secretary in  
20 order to determine an applicant's ability to safely operate a  
21 motor vehicle, except that every applicant for the renewal of a  
22 driver's license who is 75 years of age or older must prove, by  
23 an actual demonstration, the applicant's ability to exercise  
24 reasonable care in the safe operation of a motor vehicle.

25 (d) In the event the applicant is not ineligible under the  
26 provisions of Section 6-103 to receive a driver's license, the

1 Secretary of State shall make provision for giving an  
2 examination, either in the county where the applicant resides  
3 or at a place adjacent thereto reasonably convenient to the  
4 applicant, within not more than 30 days from the date said  
5 application is received.

6 (e) A valid Illinois Firearm Owner's Identification Card  
7 must be accepted by the Secretary of State as photo  
8 identification of an applicant.

9 (Source: P.A. 91-350, eff. 7-29-99.)

10 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

11 Sec. 6-115. Expiration of driver's license.

12 (a) Except as provided elsewhere in this Section, every  
13 driver's license issued under the provisions of this Code shall  
14 expire 4 years from the date of its issuance, or at such later  
15 date, as the Secretary of State may by proper rule and  
16 regulation designate, not to exceed 12 calendar months; in the  
17 event that an applicant for renewal of a driver's license fails  
18 to apply prior to the expiration date of the previous driver's  
19 license, the renewal driver's license shall expire 4 years from  
20 the expiration date of the previous driver's license, or at  
21 such later date as the Secretary of State may by proper rule  
22 and regulation designate, not to exceed 12 calendar months.

23 The Secretary of State may, however, issue to a person not  
24 previously licensed as a driver in Illinois a driver's license  
25 which will expire not less than 4 years nor more than 5 years

1 from date of issuance, except as provided elsewhere in this  
2 Section.

3 The Secretary of State is authorized to issue driver's  
4 licenses during the years 1984 through 1987 which shall expire  
5 not less than 3 years nor more than 5 years from the date of  
6 issuance, except as provided elsewhere in this Section, for the  
7 purpose of converting all driver's licenses issued under this  
8 Code to a 4 year expiration. Provided that all original  
9 driver's licenses, except as provided elsewhere in this  
10 Section, shall expire not less than 4 years nor more than 5  
11 years from the date of issuance.

12 (b) Before the expiration of a driver's license, except  
13 those licenses expiring on the individual's 21st birthday, or 3  
14 months after the individual's 21st birthday, the holder thereof  
15 may apply for a renewal thereof, subject to all the provisions  
16 of Section 6-103, and the Secretary of State may require an  
17 examination of the applicant. A licensee whose driver's license  
18 expires on his 21st birthday, or 3 months after his 21st  
19 birthday, may not apply for a renewal of his driving privileges  
20 until he reaches the age of 21.

21 (c) The Secretary of State shall, 30 days prior to the  
22 expiration of a driver's license, forward to each person whose  
23 license is to expire a notification of the expiration of said  
24 license which may be presented at the time of renewal of said  
25 license.

26 There may be included with such notification information

1 explaining the anatomical gift and Emergency Medical  
2 Information Card provisions of Section 6-110. The format and  
3 text of such information shall be prescribed by the Secretary.

4 There shall be included with such notification, for a  
5 period of 4 years beginning January 1, 2000 information  
6 regarding the Illinois Adoption Registry and Medical  
7 Information Exchange established in Section 18.1 of the  
8 Adoption Act.

9 (d) The Secretary may defer the expiration of the driver's  
10 license of a licensee, spouse, and dependent children who are  
11 living with such licensee while on active duty, serving in the  
12 Armed Forces of the United States outside of the State of  
13 Illinois, and 90 days thereafter, upon such terms and  
14 conditions as the Secretary may prescribe.

15 (e) The Secretary of State may decline to process a renewal  
16 of a driver's license of any person who has not paid any fee or  
17 tax due under this Code and is not paid upon reasonable notice  
18 and demand.

19 (f) The Secretary shall provide that each original or  
20 renewal driver's license issued to a licensee under 21 years of  
21 age shall expire 3 months after the licensee's 21st birthday.  
22 Persons whose current driver's licenses expire on their 21st  
23 birthday on or after January 1, 1986 shall not renew their  
24 driver's license before their 21st birthday, and their current  
25 driver's license will be extended for an additional term of 3  
26 months beyond their 21st birthday. Thereafter, the expiration

1 and term of the driver's license shall be governed by  
2 subsection (a) hereof.

3 (g) The Secretary shall provide that each original or  
4 renewal driver's license issued to a licensee 81 years of age  
5 through age 86 shall expire 2 years from the date of issuance,  
6 or at such later date as the Secretary may by rule and  
7 regulation designate, not to exceed an additional 12 calendar  
8 months. The Secretary shall also provide that each original or  
9 renewal driver's license issued to a licensee 87 years of age  
10 or older shall expire 12 months from the date of issuance, or  
11 at such later date as the Secretary may by rule and regulation  
12 designate, not to exceed an additional 12 calendar months.

13 (h) The Secretary of State shall provide that each special  
14 restricted driver's license issued under subsection (g) of  
15 Section 6-113 of this Code shall expire 12 months from the date  
16 of issuance. The Secretary shall adopt rules defining renewal  
17 requirements.

18 (i) The Secretary of State shall provide that each driver's  
19 license issued to a person convicted of a sex offense as  
20 defined in Section 2 of the Sex Offender Registration Act shall  
21 expire 12 months from the date of issuance or at such date as  
22 the Secretary may by rule designate, not to exceed an  
23 additional 12 calendar months. The Secretary may adopt rules  
24 defining renewal requirements.

25 (j) A valid Illinois Firearm Owner's Identification Card  
26 must be accepted by the Secretary of State as photo

1 identification of an applicant for renewal.

2 (Source: P.A. 94-993, eff. 1-1-07; 95-540, eff. 8-28-07.)